

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21927 of 2020**

Arising Out of P.S. Case No.-501 Year-2019 Thana-Runnisaidpur District-Sitamarhi

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1. Laxman Sah aged about 58 years, male, son of late Sarjug Sah.
  2. Nirmala Devi, aged 50 years, female, wife of Laxman Sah.  
Both resident of village- Chakawa, P.S. Runnisaidpur, District- Sitamarhi.
  3. Ajay Sah, aged about 41 years, male, son of Kailash Sah.
  4. Kiran Devi, female wife of Ajay Sah.  
Both resident of village Bhoraha, P.S. Riga, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr. Hans Lal Kumar, Advocate  
For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL ORDER**

2      23-07-2020                      Heard Mr. Hans Lal Kumar, learned counsel for the petitioner and Mr. Damodar Prasad Tiwary, learned Additional Public Prosecutor for the State.

Though the prayer made by the petitioner in the present application is for grant of pre-arrest bail in Runnisaidpur P. S. Case No.501 of 2019 registered under Sections 341, 323, 498-A, 329, 427 read with 34 of the Indian Penal Code, the FIR annexed to the present application is of Ahiyapur P. S. Case No.135 of 2020 dated 05.02.2020 registered under Sections 272, 273 read with 34 of the Indian Penal Code and Sections 30(a)



and 36 of the Bihar Prohibition and Excise Act. Furthermore, the impugned order is also of Ahiyapur P. S. Case No.135 of 2020.

In absence of the copy of the FIR of Runnisaidpur P.S. Case No.501 of 2019 and the order passed by the Sessions court by which the application for grant of pre-arrest bail has been rejected in the court below, the application filed before this Court cannot be entertained.

In that view of the matter, the application for grant of pre-arrest bail in Runnisaidpur P. S. Case No.501 of 2019 is dismissed due to grossly defective petition.

However, the petitioner would be at liberty to file another application in the same subject matter after removing all the defects.

Since, there is a State wide lockdown, the Court has considered it appropriate to adopt the following procedure for communication of the present order :-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Senior Secretary.
- (ii) The corrected copy of the order shall be transmitted



by me from my email id to the Senior Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.

- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the order be sent to Mr. Hans Lal Kumar, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Senior Secretary for uploading of the present order without compromising with the norms of social distancing.

**(Ashwani Kumar Singh, J)**

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